

DEVELOPMENT REVIEW APPLICATION

| For Office Use Only | | |
|-------------------------------------|---------------------------------------|-----------------------|
| STAFF CONTACT <i>Darren Wyss</i> | PROJECT NO(S). <i>MIP-17-04</i> | |
| NON-REFUNDABLE FEE(S) <i>-</i> | REFUNDABLE DEPOSIT(S) <i>2,800</i> | TOTAL <i>2,800</i> |

Type of Review (Please check all that apply):

- | | | |
|--|--|--|
| <input type="checkbox"/> Annexation (ANX) | <input type="checkbox"/> Historic Review | <input type="checkbox"/> Subdivision (SUB) |
| <input type="checkbox"/> Appeal and Review (AP) * | <input type="checkbox"/> Legislative Plan or Change | <input type="checkbox"/> Temporary Uses * |
| <input type="checkbox"/> Conditional Use (CUP) | <input type="checkbox"/> Lot Line Adjustment (LLA) */** | <input type="checkbox"/> Time Extension * |
| <input type="checkbox"/> Design Review (DR) | <input checked="" type="checkbox"/> Minor Partition (MIP) (Preliminary Plat or Plan) | <input type="checkbox"/> Variance (VAR) |
| <input type="checkbox"/> Easement Vacation | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures | <input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP) |
| <input type="checkbox"/> Extraterritorial Ext. of Utilities | <input type="checkbox"/> Planned Unit Development (PUD) | <input type="checkbox"/> Water Resource Area Protection/Wetland (WAP) |
| <input type="checkbox"/> Final Plat or Plan (FP) | <input type="checkbox"/> Pre-Application Conference (PA) */** | <input type="checkbox"/> Willamette & Tualatin River Greenway (WRG) |
| <input type="checkbox"/> Flood Management Area | <input type="checkbox"/> Street Vacation | <input type="checkbox"/> Zone Change |
| <input type="checkbox"/> Hillside Protection & Erosion Control | | |

Home Occupation, Pre-Application, Sidewalk Use, Sign Review Permit, and Temporary Sign Permit applications require different or additional application forms, available on the City website or at City Hall.

| | |
|---|---------------------------------|
| Site Location/Address: 1560 Rosemont Road | Assessor's Map No.: 2-1E-25DB |
| | Tax Lot(s): 900 |
| | Total Land Area: 22,998 sq. ft. |

Brief Description of Proposal:

Divide the property into two parcels. Parcel 1 will contain the existing residence. Parcel 2 is a flag lot to the rear of the existing home. Both lots will share the same driveway approach.

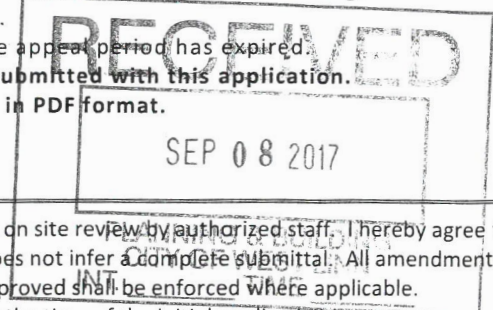
| | |
|--|-----------------------|
| Applicant Name: Ken Beegle <small>(please print)</small> | Phone: 360-969-1864 |
| Address: 1560 Rosemont Road | Email: kbeegle@me.com |
| City State Zip: West Linn, OR 97068 | |

| | |
|---|--------|
| Owner Name (required): Same as applicant. <small>(please print)</small> | Phone: |
| Address: | Email: |
| City State Zip: | |

| | |
|---|-----------------------------|
| Consultant Name: Rick Givens, Planning Consultant <small>(please print)</small> | Phone: 503-479-0097 |
| Address: 18680 Sunblaze Dr. | Email: rickgivens@gmail.com |
| City State Zip: Oregon City, OR 97045 | |

1. All application fees are non-refundable (excluding deposit). **Any overruns to deposit will result in additional billing.**
2. The owner/applicant or their representative should be present at all public hearings.
3. A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
4. **Three (3) complete hard-copy sets (single sided) of application materials must be submitted with this application.**
One (1) complete set of digital application materials must also be submitted on CD in PDF format.
If large sets of plans are required in application please submit only two sets.

* No CD required / ** Only one hard-copy set needed



The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application. Acceptance of this application does not infer a complete submittal. All amendments to the Community Development Code and to other regulations adopted after the application is approved shall be enforced where applicable. Approved applications and subsequent development is not vested under the provisions in place at the time of the initial application.

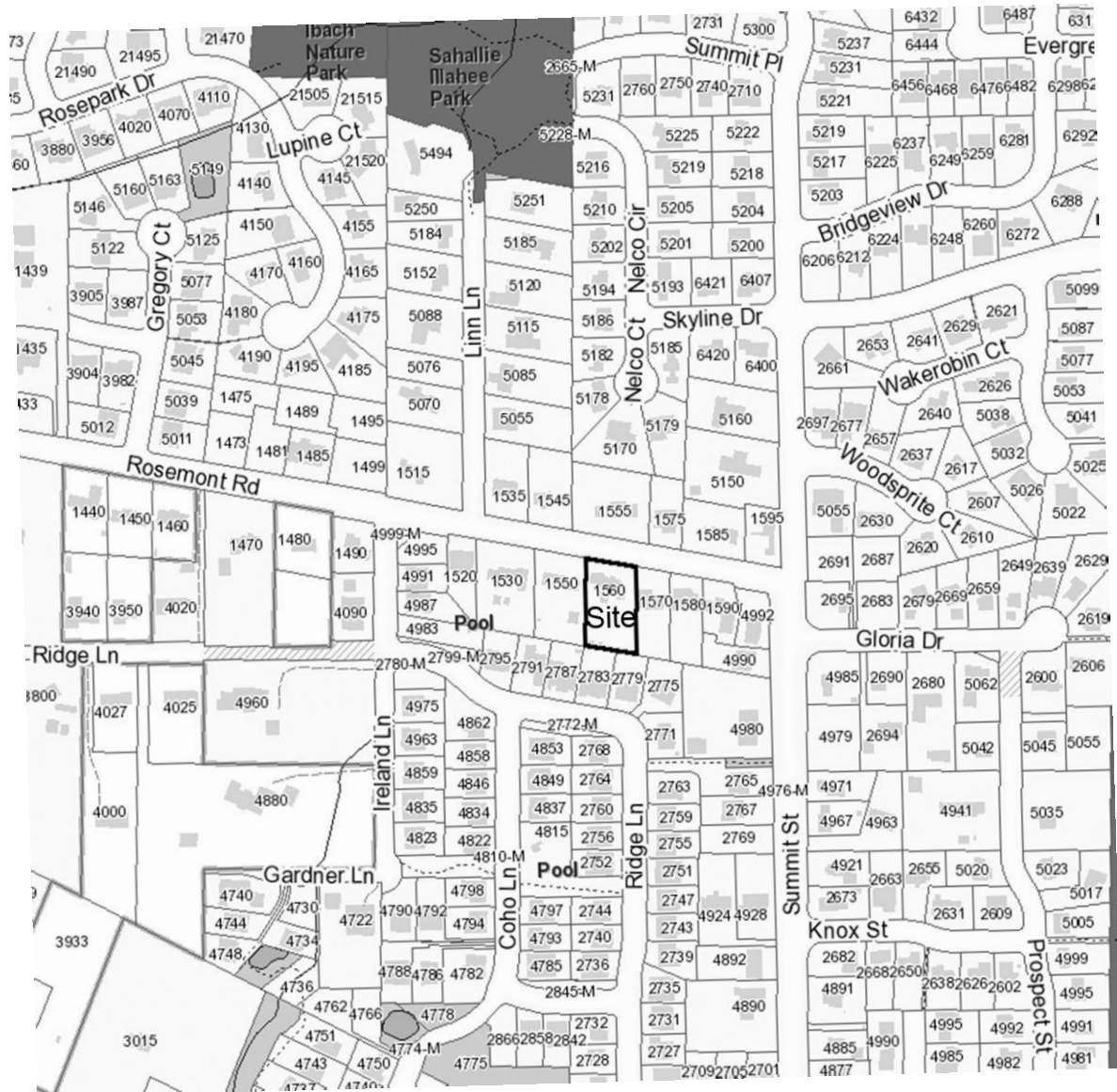
| | | | |
|-----------------------|---------------|------------------------------|---------------|
| <i>Ken Beegle</i> | <i>9/8/17</i> | <i>Ken Beegle</i> | <i>9/8/17</i> |
| Applicant's signature | Date | Owner's signature (required) | Date |

Partition Narrative

1560 Rosemont Rd., West Linn

Ken Beegle

Proposal: This application requests approval of a three-lot partition for property located at 1560 Rosemont Road in West Linn. The property is situated on the south side of the street, approximately 300 feet west of Summit Drive. The subject property is 22,998 square feet in area and is presently developed with a single-family home. The proposed partition will divide the property into 2 lots, with the new lot being a flag lot situated behind the existing home. The subject property is zoned R-10. The property is described as Tax Lot 900 of Clackamas County Assessor's Map 2-1E-25DB.



Vicinity Map

The proposed development conforms to the applicable provisions of the CDC as follows:

CHAPTER 11 SINGLE-FAMILY RESIDENTIAL DETACHED, R-10

11.030 PERMITTED USES

The following are uses permitted outright in this zoning district

1. *Single-family detached residential unit. (...)*

Comment: The application is for the creation of two parcels to accommodate the existing home and one new single family detached residential unit. This use is permitted use by this section. The criterion is met.

11.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT AND USES PERMITTED UNDER PRESCRIBED CONDITIONS

Except as may be otherwise provided by the provisions of this code, the following are the requirements for uses within this zone:

1. *The minimum lot size shall be 10,000 square feet for a single-family detached unit.*

Comment: Parcel 1 contains 10,519 sq. ft. Parcel 2 is 10,412 sq. ft. in area (exclusive of the access strip). This criterion is met.

2. *The minimum front lot line length or the minimum lot width at the front lot line shall be 35 feet.*

Comment: Parcel 1 has a front lot line length of 101 feet, which exceeds the minimum standard of 35 feet. The 15 foot frontage for Parcel 2 meets the minimum flag lot stem width per CDC 85.200 (B) (7).

3. *The average minimum lot width shall be 50 feet.*

Comment: Parcel 1 is approximately 100 feet wide and Parcel 2 is about 91 feet in width. This standard is met.

4. *Repealed by Ord. 1622.*

5. *Except as specified in CDC 25.070(C)(1) through (4) for the Willamette Historic District, the minimum yard dimensions or minimum building setback area from the lot line shall be:*
 - a. *For the front yard, 20 feet; except for steeply sloped lots where the provisions of CDC 41.010 shall apply.*
 - b. *For an interior side yard, seven and one-half feet.*
 - c. *For a side yard abutting a street, 15 feet.*
 - d. *For a rear yard, 20 feet.*

Comment: The property is not in the Willamette Historic District. The front yard for the existing home is a minimum of 22.4 feet. The rear yard maintains the required 20 foot minimum. The side setback to the west is 8.4 feet and to the flagpole accessing Parcel 2 is 7.5 feet. Setbacks for the home to be constructed on Parcel 2 will be reviewed at the time of building permit application, but will conform to these standards.

6. *The maximum building height shall be 35 feet, except for steeply sloped lots in which case the provisions of Chapter 41 CDC shall apply.*

Comment: The existing home meets the required building height, as was verified when the building permit was issued. Building height for the new home will be reviewed with the building permit.

7. *The maximum lot coverage shall be 35 percent.*

Comment: The combined area of the house footprint, covered deck and covered front porch for the home on Parcel 1 is 3,600 sq. ft. The lot area is 10,648 sq. ft. so the total lot coverage equates to 33.8 percent. Lot coverage for the home to be built on Parcel 2 will comply with this standard, as will be demonstrated at the time of building permit application.

8. *The minimum width of an accessway to a lot which does not abut a street or a flag lot shall be 15 feet.*

Comment: The accessway to Parcel 2 measures 15 feet in width.

9. *The floor area ratio shall be 0.45. Type I and II lands shall not be counted toward lot area when determining allowable floor area ratio, except that a minimum floor area ratio of 0.30 shall be allowed regardless of the classification of lands within the property. That 30 percent shall be based upon the entire property including Type I and II lands. Existing residences in excess of this standard may be replaced to their prior dimensions when damaged without the requirement that the homeowner obtain a non-conforming structures permit under Chapter 66 CDC.*

Comment: The floor area of the existing home on Parcel 1 is 3,123 sq. ft. and the lot area is 10,648 sq. ft., yielding a FAR of 0.293. This standard is met for the existing home. Compliance for Parcel 2 will be reviewed with the building permit.

10. The sidewall provisions of Chapter 43 CDC shall apply.

Comment: The existing home on Parcel 2 was presumably reviewed for compliance with these provisions when the building permit was reviewed. No changes are proposed. Compliance of the new home will be reviewed with the building permit.

Chapter 85 GENERAL PROVISIONS (Land Division)

85.200 APPROVAL CRITERIA

No tentative subdivision or partition plan shall be approved unless adequate public facilities will be available to provide service to the partition or subdivision area prior to final plat approval and the Planning Commission or Planning Director, as applicable, finds that the following standards have been satisfied, or can be satisfied by condition of approval.

A. Streets.

Comment: No new streets are proposed. Both parcels front on Rosemont Road. Parcel 2 will be accessed via a shared driveway with the existing home. Because of the existing development pattern, which is fully developed to R-10 density to the south without the provision of any stub streets, there is no opportunity to provide for additional local street connections. The plan does call for the dedication of an additional 6 feet of right-of-way along the site's frontage on Rosemont Road, consistent with staff comments in the pre-application conference notes.

B. Blocks and lots.

1. General. The length, width, and shape of blocks shall be designed with due regard for the provision of adequate building sites for the use contemplated; consideration of the need for traffic safety, convenience, access, circulation, and control; and recognition of limitations and opportunities of topography and solar access.

Comment: As previously mentioned, the development pattern in this area is already established. There is no opportunity for additional local street connections between Rosemont Road, on the north, and Ridge Lane, to the south.

2. Sizes. The recommended block size is 400 feet in length to encourage greater connectivity within the subdivision. Blocks shall not exceed 800 feet in length between street lines, except for blocks adjacent to arterial streets or unless topographical conditions or the layout of adjacent streets justifies a variation. Designs of proposed intersections shall demonstrate adequate sight distances to

the City Engineer's specifications. Block sizes and proposed accesses must be consistent with the adopted TSP.

Comment: Same as for B1, above.

3. Lot size and shape. Lot or parcel size, width, shape, and orientation shall be appropriate for the location of the subdivision or partition, for the type of use contemplated, for potential utilization of solar access, and for the protection of drainageways, trees, and other natural features. No lot or parcel shall be dimensioned to contain part of an existing or proposed street. All lots or parcels shall be buildable. "Buildable" describes lots that are free of constraints such as wetlands, drainageways, etc., that would make home construction impossible. Lot or parcel sizes shall not be less than the size required by the zoning code unless as allowed by planned unit development (PUD).

Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use proposed.

Comment: The proposed lots are consistent with the dimensional standards of the R-10 zone and provide reasonable building sites for single-family detached homes. The lots are deep enough on their north-south axes to provide for the opportunity to orient the homes for solar access. The lots do not include portions of existing streets. The flagstrip area for the access drive has not been included in the computation of lot size for purposes of meeting R-10 standards.

4. Access. Access to subdivisions, partitions, and lots shall conform to the provisions of Chapter 48 CDC, Access, Egress and Circulation.

Comment: See discussion of Chapter 48, below.

5. Double frontage lots and parcels. Double frontage lots and parcels have frontage on a street at the front and rear property lines. Double frontage lots and parcels shall be avoided except where they are essential to provide separation of residential development from arterial streets or adjacent non-residential activities, or to overcome specific disadvantages of topography and orientation. A planting screen or impact mitigation easement at least 10 feet wide, and across which there shall be no right of access, may be required along the line of building sites abutting such a traffic artery or other incompatible use.

Comment: No double frontage lots or parcels are proposed.

6. Lot and parcel side lines. The lines of lots and parcels, as far as is practicable, should run at right angles to the street upon which they face, except that on curved streets they should be radial to the curve.

Comment: The proposed side lot lines are roughly perpendicular to the Rosemont Road right-of-way.

7. Flag lots. Flag lots can be created where it can be shown that no other reasonable street access is possible to achieve the requested land division. A single flag lot shall have a minimum street frontage of 15 feet for its accessway. Where two to four flag lots share a common accessway, the minimum street frontage and accessway shall be eight feet in width per lot. Common accessways shall have mutual maintenance agreements and reciprocal access and utility easements. The following dimensional requirements shall apply to flag lots:

- a. Setbacks applicable to the underlying zone shall apply to the flag lot.
- b. Front yard setbacks may be based on the rear property line of the lot or parcel which substantially separates the flag lot from the street from which the flag lot gains access. Alternately, the house and its front yard may be oriented in other directions so long as some measure of privacy is ensured, or it is part of a pattern of development, or it better fits the topography of the site.
- c. The lot size shall be calculated exclusive of the accessway; the access strip may not be counted towards the area requirements.
- d. The lot depth requirement contained elsewhere in this code shall be measured from the rear property line of the lot or parcel which substantially separates the flag lot from the street from which the flag lot gains access.
- e. As per CDC 48.030, the accessway shall have a minimum paved width of 12 feet.
- f. If the use of a flag lot stem to access a lot is infeasible because of a lack of adequate existing road frontage, or location of existing structures, the proposed lot(s) may be accessed from the public street by an access easement of a minimum 15-foot width across intervening property.

Comment: Due to the lack of street frontage or streets that are stubbed to the property line, access to the rear portion of the subject property may only feasibly be provided via the use of a flag lot development pattern. Setbacks are anticipated to be applied on Parcel 2 with front and rear lot lines being the east and west lines, respectively, and the side lot lines being the north and south lines. Setbacks will be reviewed at the time of building permit application. All parcels exceed the minimum 10,000 sq. ft. lot size standard of the R-10 district, exclusive of area within the access strip. All lots proposed exceed the minimum lot depth standard of the R-10 zone. The proposed access drive serving Parcel 2 will be 12 feet in width and is located in the 15 foot access easement.

8. Large lots or parcels. In dividing tracts into large lots or parcels which, at some future time, are likely to be redivided, the approval authority may:

- a. Require that the blocks be of such size and shape, and be so divided into building sites, and contain such easements and site restrictions as will provide for extension and opening of streets at intervals which will permit a subsequent division of any tract into lots or parcels of smaller size; or

b. Alternately, in order to prevent further subdivision or partition of oversized and constrained lots or parcels, restrictions may be imposed on the subdivision or partition plat.

Comment: Not applicable. None of the parcels proposed are large enough to be capable of being redivided.

C. Pedestrian and bicycle trails.

Comment: Not applicable. No pedestrian or bicycle trails exist or are planned in this area.

D. Transit facilities.

Comment: The closest Tri-Met bus service is on Rosemont Road so there is no need for transit facilities.

E. Grading. Grading of building sites shall conform to the following standards unless physical conditions demonstrate the propriety of other standards:

Comment: No grading of building sites is planned at this time. Grading plans will be reviewed at the time of building permit application.

F. Water.

Comment: Water service will be provided from the existing water line in Rosemont Road. No new public water lines are proposed. A new water meter for Parcel 2 will be provided in the public right-of-way, with private water service lines extending to Parcel 2 via the access strip.

G. Sewer.

Comment: Sewer service will be provided from the existing sewer line in a 15 foot easement to the south of the rear property line of the site. No new public sewer lines are proposed. The existing private service lateral for Parcel 1 will be placed in a 10' wide easement and a new service will be extended to Parcel from the existing sewer line.

H. (Deleted)

I. Utility easements.

There are no new public utilities proposed and, therefore, no new requirements for public utility easements.

J. Supplemental provisions.

1. Wetland and natural drainageways.

Comment: There are no wetlands or drainageways on the subject property or on adjacent parcels.

2. Willamette and Tualatin Greenways.

Comment: The subject property is not located within the Willamette or Tualatin Greenway areas. There are no Habitat Conservation Areas on the property.

3. Street trees. *Street trees are required as identified in the appropriate section of the municipal code and Chapter 54 CDC.*

Comment: Street trees will be provided along the frontage of Parcel 1, as shown on the Tentative Plan.

4. Lighting.

Comment: A street light presently exists at the northeast corner of the property.

5. Dedications and exactions.

Comment: The site plan provides for an additional 6 feet of right-of-way dedication along the property's frontage, consistent with what was discussed at the pre-application conference. No other exactions are warranted.

6. Underground utilities.

Comment: All new utilities will be place underground.

7. Density requirement.

Comment: The subject property measures 29,998 square feet in site area. The right-of-way dedication and access strip account for 2,047 sq. ft. and do not count towards density. Deducting this area from the site area leaves a net area of 20,951 sq. ft. Dividing by the minimum 10,000 sq. ft. lot size of the R-10 zone yields a maximum density of 2 lots. Two lots are proposed so both the minimum and maximum density standards are met.

8. Mix requirement. *The "mix" rule means that developers shall have no more than 15 percent of the R-2.1 and R-3 development as single-family residential. The intent is that the majority of the site shall be developed as medium high density multi-family housing.*

Comment: The subject property is not in the R-2.1 or R-3 zones so this provision does not apply.

9. Heritage trees/significant tree and tree cluster protection.

Comment: There are not heritage trees on the site. There are also no significant clusters of trees on the property.

Chapter 48 - ACCESS, EGRESS AND CIRCULATION

48.025 ACCESS CONTROL

B. Access control standards.

1. Traffic impact analysis requirements. *The City or other agency with access jurisdiction may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements. (See also CDC 55.125, Traffic Impact Analysis.)*

Comment: Because of the small size of this project, the City did not require a traffic impact analysis.

2. *The City or other agency with access permit jurisdiction may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system. Access to and from off-street parking areas shall not permit backing onto a public street.*

Comment: There are no existing curb cuts that need to be closed. Both lots will share the existing single access onto Rosemont Road.

3. Access options. *When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the following methods (planned access shall be consistent with adopted public works standards and TSP). These methods are "options" to the developer/subdivider.*

a) Option 1. *Access is from an existing or proposed alley or mid-block lane. If a property has access to an alley or lane, direct access to a public street is not permitted.*

b) Option 2. *Access is from a private street or driveway connected to an adjoining property that has direct access to a public street (i.e., "shared driveway"). A public access easement covering the driveway shall be recorded in this case to assure access to the closest public street for all users of the private street/drive.*

c) Option 3. *Access is from a public street adjacent to the development lot or parcel. If practicable, the owner/developer may be required to close or consolidate an existing access point as a condition of approving a new access. Street accesses shall comply with the access spacing standards in subsection (B)(6) of this section.*

Comment: Access to Parcel 2 will be via a 15 foot access strip.

4. Subdivisions fronting onto an arterial street. *New residential land divisions fronting onto an arterial street shall be required to provide alleys or secondary (local or collector) streets for access to individual lots. When alleys or secondary streets cannot be constructed due to topographic or other physical constraints,*

access may be provided by consolidating driveways for clusters of two or more lots (e.g., includes flag lots and mid-block lanes).

Comment: Not applicable. The site does not front onto an arterial street. Rosemont is classified as a collector street.

5. Double-frontage lots. When a lot or parcel has frontage onto two or more streets, access shall be provided first from the street with the lowest classification. For example, access shall be provided from a local street before a collector or arterial street. When a lot or parcel has frontage opposite that of the adjacent lots or parcels, access shall be provided from the street with the lowest classification.

Comment: Not applicable. No double-frontage lots are proposed.

6. Access spacing.

a. The access spacing standards found in Chapter 8 of the adopted Transportation System Plan (TSP) shall be applicable to all newly established public street intersections and non-traversable medians.

b. Private drives and other access ways are subject to the requirements of CDC.

Comment: No new public street intersections are proposed. The shared access drive complies with the requirements of the CDC.

7. Number of access points. For single-family (detached and attached), two-family, and duplex housing types, one street access point is permitted per lot or parcel, when alley access cannot otherwise be provided; except that two access points may be permitted corner lots (i.e., no more than one access per street), subject to the access spacing standards in subsection (B)(6) of this section. The number of street access points for multiple family, commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared access may be required, in conformance with subsection (B)(8) of this section, in order to maintain the required access spacing, and minimize the number of access points.

Comment: Only one access point per lot is proposed.

8. Shared driveways. The number of driveway and private street intersections with public streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The City shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes in accordance with the following standards:

a. Shared driveways and frontage streets may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway or street temporarily ends at the property line, but may be extended in the future as the adjacent lot or parcel develops. "Developable" means that a lot or parcel is either vacant

or it is likely to receive additional development (i.e., due to infill or redevelopment potential).

b. Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.

c. Exception. Shared driveways are not required when existing development patterns or physical constraints (e.g., topography, lot or parcel configuration, and similar conditions) prevent extending the street/driveway in the future.

Comment: The proposed shared driveway will have an easement shown on the partition plat.

C. Street connectivity and formation of blocks required. In order to promote efficient vehicular and pedestrian circulation throughout the City, land divisions and large site developments shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:

1. Block length and perimeter. The maximum block length shall not exceed 800 feet or 1,800 feet along an arterial.

2. Street standards. Public and private streets shall also conform to Chapter 92 CDC, Required Improvements, and to any other applicable sections of the West Linn Community Development Code and approved TSP.

3. Exception. Exceptions to the above standards may be granted when blocks are divided by one or more pathway(s), in conformance with the provisions of CDC 85.200(C), Pedestrian and Bicycle Trails, or cases where extreme topographic (e.g., slope, creek, wetlands, etc.) conditions or compelling functional limitations preclude implementation, not just inconveniences or design challenges. (Ord. 1635 § 25, 2014; Ord. 1636 § 33, 2014)

Comment: Adjacent property to the south is fully developed and no street stubs are provided to the subject property. Because of this, it is not possible to extend a local street through the site to create a new block.

48.030 MINIMUM VEHICULAR REQUIREMENTS FOR RESIDENTIAL USES

A. Direct individual access from single-family dwellings and duplex lots to an arterial street, as designated in the transportation element of the Comprehensive Plan, is prohibited for lots or parcels created after the effective date of this code where an alternate access is either available or is expected to be available by imminent development application. Evidence of alternate or future access may include temporary cul-de-sacs, dedications or stubouts on adjacent lots or parcels, or tentative street layout plans submitted at one time by adjacent property owner/developer or by the owner/developer, or previous owner/developer, of the property in question.

In the event that alternate access is not available as determined by the Planning Director and City Engineer, access may be permitted after review of the following criteria:

1. *Topography.*
2. *Traffic volume to be generated by development (i.e., trips per day).*
3. *Traffic volume presently carried by the street to be accessed.*
4. *Projected traffic volumes.*
5. *Safety considerations such as line of sight, number of accidents at that location, emergency vehicle access, and ability of vehicles to exit the site without backing into traffic.*
6. *The ability to consolidate access through the use of a joint driveway.*
7. *Additional review and access permits may be required by State or County agencies.*

Comment: Figure 17 in the TSP designates this stretch of Rosemont Road as a collector street. This section does not apply.

- B. When any portion of any house is less than 150 feet from the adjacent right-of-way, access to the home is as follows:*
1. *One single-family residence, including residences with an accessory dwelling unit as defined in CDC 02.030, shall provide 10 feet of unobstructed horizontal clearance. Dual-track or other driveway designs that minimize the total area of impervious driveway surface are encouraged.*
 2. *Two to four single-family residential homes equals a 14- to 20-foot-wide paved or all-weather surface. Width shall depend upon adequacy of line of sight and number of homes.*
 3. *Maximum driveway grade shall be 15 percent. The 15 percent shall be measured along the centerline of the driveway only. Variations require approval of a Class II variance by the Planning Commission pursuant to Chapter 75 CDC. Regardless, the last 18 feet in front of the garage shall be under 12 percent grade as measured along the centerline of the driveway only. Grades elsewhere along the driveway shall not apply.*
 4. *The driveway shall include a minimum of 20 feet in length between the garage door and the back of sidewalk, or, if no sidewalk is proposed, to the paved portion of the right-of-way.*

Comment: The proposed driveway to Parcel 2 will comply with the minimum 10 foot unobstructed horizontal clearance standard. The grade is under 5 percent. The driveways comply with the 20 foot minimum length between the garage and the sidewalk.

- C. When any portion of one or more homes is more than 150 feet from the adjacent right-of-way, the provisions of subsection B of this section shall apply in addition to the following provisions.*

1. *A turnaround may be required as prescribed by the Fire Chief.*
2. *Minimum vertical clearance for the driveway shall be 13 feet, six inches.*
3. *A minimum centerline turning radius of 45 feet is required unless waived by the Fire Chief.*
4. *There shall be sufficient horizontal clearance on either side of the driveway so that the total horizontal clearance is 20 feet.*

Comment: If some portion of the home on Parcel 2 is more than 150 feet from Rosemont Road, the applicant will coordinate with the Fire Chief to determine whether a turnaround or other mitigating measures, such as sprinklers, are warranted. Compliance with other requirements of this section will be demonstrated at the time of building permit application.

D. Access to five or more single-family homes shall be by a street built to full construction code standards. All streets shall be public. This full street provision may only be waived by variance.

Comment: Not applicable. The proposed access will not serve five or more vehicles.

E. Access and/or service drives for multi-family dwellings shall be fully improved with hard surface pavement:

Comment: Not applicable. No multi-family development is proposed.

F. Where on-site maneuvering and/or access drives are necessary to accommodate required parking, in no case shall said maneuvering and/or access drives be less than that required in Chapters 46 and 48 CDC.

Comment: The proposed access drive complies with these standards

G. The number of driveways or curb cuts shall be minimized on arterials or collectors. Consolidation or joint use of existing driveways shall be required when feasible.

Comment: Not applicable. The site consolidates access to make use of the existing single curb cut onto Rosemont Road.

H. In order to facilitate through traffic and improve neighborhood connections, it may be necessary to construct a public street through a multi-family site.

Comment: Not applicable. The site is not a multi-family site and there is no opportunity for a street connection due to development patterns to the north.

I. Gated accessways to residential development other than a single-family home are prohibited. (Ord. 1408, 1998; Ord. 1463, 2000; Ord. 1513, 2005; Ord. 1584, 2008; Ord. 1590 § 1, 2009; Ord. 1636 § 34, 2014)

Comment: No gated accessways are proposed.

48.040 MINIMUM VEHICLE REQUIREMENTS FOR NON-RESIDENTIAL USES

Comment: No non-residential uses are proposed so this section does not apply.

48.050 ONE-WAY VEHICULAR ACCESS POINTS

Where a proposed parking facility plan indicates only one-way traffic flow on the site, it shall be accommodated by a specific driveway serving the facility, and the entrance drive shall be situated closest to oncoming traffic, and the exit drive shall be situated farthest from oncoming traffic.

Comment: No one-way traffic flow patterns are proposed.

48.060 WIDTH AND LOCATION OF CURB CUTS AND ACCESS SEPARATION REQUIREMENTS

A. *Minimum curb cut width shall be 16 feet.*

Comment: The existing curb cut for the proposed access drive complies with this minimum.

B. *Maximum curb cut width shall be 36 feet, except along Highway 43 in which case the maximum curb cut shall be 40 feet. For emergency service providers, including fire stations, the maximum shall be 50 feet.*

Comment: The proposed curb cut will not exceed 36 feet, as shown on the site plan.

C. *No curb cuts shall be allowed any closer to an intersecting street right-of-way line than the following:*

1. *On an arterial when intersected by another arterial, 150 feet.*
2. *On an arterial when intersected by a collector, 100 feet.*
3. *On an arterial when intersected by a local street, 100 feet.*
4. *On a collector when intersecting an arterial street, 100 feet.*
5. *On a collector when intersected by another collector or local street, 35 feet.*
6. *On a local street when intersecting any other street, 35 feet.*

Comment: Figure 17 in the Transportation System Plan designates this stretch of Rosemont Road as a collector street and it intersects with Summit Drive, also a collector street, approximately 300 feet to the east. This standard is met.

D. *There shall be a minimum distance between any two adjacent curb cuts on the same side of a public street, except for one-way entrances and exits, as follows:*

1. *On an arterial street, 150 feet.*

2. *On a collector street, 75 feet.*
3. *Between any two curb cuts on the same lot or parcel on a local street, 30 feet.*

Comment: The two parcels will share the single existing curb cut.

E. A rolled curb may be installed in lieu of curb cuts and access separation requirements.

Comment: Not proposed.

F. Curb cuts shall be kept to the minimum, particularly on Highway 43. Consolidation of driveways is preferred. The standard on Highway 43 is one curb cut per business if consolidation of driveways is not possible.

Comment: The proposed plan makes use of the single existing curb cut to service both homes, consistent with this provision.

G. Adequate line of sight pursuant to engineering standards should be afforded at each driveway or accessway.

Comment: There are no obstructions to sight distance at the driveway location.

CHAPTER 55 DESIGN REVIEW

55.100 APPROVAL STANDARDS – CLASS II DESIGN REVIEW

Design Review is only applicable to significant trees as cross referenced by CDC 85.200(J) (9).

B. Relationship to the natural and physical environment.

- 1 *The buildings and other site elements shall be designed and located so that all heritage trees, as defined in the municipal code, shall be saved. Diseased heritage trees, as determined by the City Arborist, may be removed at his/her direction.*
2. *All heritage trees, as defined in the municipal code, all trees and clusters of trees (“cluster” is defined as three or more trees with overlapping driplines; however, native oaks need not have an overlapping dripline) that are considered significant by the City Arborist, either individually or in consultation with certified arborists or similarly qualified professionals, based on accepted arboricultural standards including consideration of their size, type, location, health, long term survivability, and/or numbers, shall be protected pursuant to the criteria of subsections (B)(2)(a) through (f) of this section. (...)*

Comment: The tree survey information was reviewed by the City's A There are no heritage or significant trees on the subject property so the provisions of Chapter 55 do not apply.

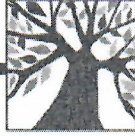
Chapter 92, required improvements

92.010 PUBLIC IMPROVEMENTS FOR ALL DEVELOPMENT

The following improvements shall be installed at the expense of the developer and meet all City codes and standards:

E. Surface drainage and storm sewer system. A registered civil engineer shall prepare a plan and statement which shall be supported by factual data and comply with the standards for the improvement of public and private drainage systems located in the West Linn Public Works Design Standards. (....)

Comment: The applicant proposes to provide a rain garden on Parcel 2 to accommodate runoff from the new home. There is an existing rain garden on Parcel 1 that handles the runoff from the existing home. There will be a requirement to provide frontage improvements along Rosemont Road. The applicant will retain the services of a civil engineer to design these improvements, including storm water management. The use of a green street approach, with a swale between the curb and sidewalk, to handling storm water may be the best solution.



CITY OF West Linn

Expedited Land Division Acknowledgement Form

All applicants for minor partitions and subdivisions must acknowledge, by completing this form, that they were notified about the ELD process and indicate whether they intend to apply for an ELD or a standard subdivision using the procedures set forth in the City of West Linn's Community Development Code. Applicants who do not sign this form (page 1) and subsequently submit a land division application will have the land division processed under the ELD procedures per ORS 197.365. This completed form must accompany the separate ELD or standard subdivision application form.

Are you intending to apply for an Expedited Land Division?

Yes No

If "Yes", your application must include a written description of how the proposal satisfies ORS 197.360(1).

If "No", it indicates your intention to use the procedure set forth in the City of West Linn Community Development Code Land Division regulations.

Applicant Name: Kenneth Beegle

Applicant Signature: *Kenneth Beegle* Date: 9/22/17

Applicant Mailing Address: 1560 Rosemont Rd, West Linn, OR 97068

Owner's Name: Kenneth Beegle

Owner's Signature: *Kenneth Beegle* Date: 9/22/17

Owner's Mailing Address: 1560 Rosemont Rd, West Linn, OR 97068

Site Address: 1560 Rosemont Rd, West Linn, OR 97068

The property located at 1560 Rosemont Road, West Linn, OR 97068 (tax lot 21E25DB00900) if owned by Glacier Ice, LLC. This is an LLC my wife and I setup when purchasing the home. My wife and I are the sole shareholders of the LLC and the property is fully owned by the LLC. Attached is the a copy of the title on the house as well as the assignment of interests for the LLC proving ownership. As a representative of Glacier Ice, LLC I authorize the subdivision of the property.

Kenneth Beegle

A handwritten signature in black ink that reads "Kenneth Beegle". The signature is written in a cursive style with a large, stylized initial 'K'.

12 October 2017

TICOR TITLE COMPANY

9200 SE Sunnybrook Blvd. Suite 130, Clackamas, OR 97015
Phone: (503)219-2150 Fax: (503)652-1139

BUYER'S SETTLEMENT STATEMENT

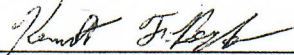
Date: March 25, 2013
Settlement Date: March 25, 2013
Buyer: Glacier Ice, LLC
20699 NE Glisan St #253
Fairview, OR 97024
Seller: Valeriu Pamfile
2022 SE 138th Ave
Portland, OR 97233
Property: 1560 Rosemont Road
West Linn, OR 97068


Time: 08:46 AM
Escrow No.: 3626057089DIS
Escrow Officer: Dodie Schmaltz

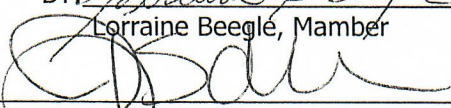
| | DEBIT | CREDIT |
|--|------------|------------|
| Financial Consideration | | |
| Total Consideration | 615,000.00 | |
| Deposit or Earnest money | | 30,000.00 |
| Prorations/Adjustments | | |
| County Taxes at \$6,999.06 03/25/13 to 07/01/13 | 1,879.20 | |
| Rentback 03/25/13 to 04/01/13 | | 790.32 |
| Escrow Charges | | |
| Escrow Fee Ticor Title Company | 700.00 | |
| Title Charges | | |
| Title Insurance Chicago Title Insurance Company Owner's Standard | | |
| E-doc Recording Fee Ticor Title Company | 5.00 | |
| Recording Charges | | |
| Aggregate Recording Recorder's Office | 194.00 | |
| Other Debits/Credits | | |
| Ticor Title Holdback Fee | 100.00 | |
| Subtotals | 617,878.20 | 30,790.32 |
| Balance Due FROM Buyer | | 587,087.88 |
| TOTALS | 617,878.20 | 617,878.20 |

Buyer

Glacier Ice, LLC, an Oregon Limited Liability Company

BY: 
Kenneth F. Beegle, Member

BY: 
Lorraine Beegle, Member


Ticor Title Company
Settlement Agent

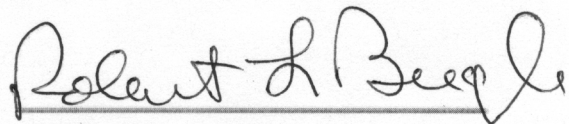
Initials _____

**ASSIGNMENT OF LIMITED LIABILITY COMPANY INTERESTS
GLACIER ICE, LLC**

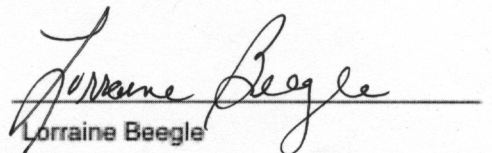
The undersigned transferors (each a "Transferor") hereby assign, convey, quit, claim and transfer to each of the individuals named below (the "Assignee") 200 Units of each Transferor's Units of ownership in GLACIER ICE, LLC (the "Company"). Immediately prior to such transfer, each Transferor owned 400 Units of the total issued and outstanding Units of the Company and after the transfer, each Transferor will own 0 Units of the total issued and outstanding Units of the Company. Following these transfers, each Assignee will own 500 Units of the Company (including those Units owned by the Assignee independent of this transfer). The Assignee does not become a Member of the Company by reason of this transfer except as provided in Section 12 of the Company's Agreement. In summary:

| Name | Units Owned Prior to Transfer | Units Owned After the Transfer | Percentage of Outstanding Units |
|--------------------------------|-------------------------------|--------------------------------|---------------------------------|
| Robert L. Beegle Transferor | 400 | -0- | -0- % |
| Lorraine Beegle Transferor | 400 | -0- | -0- % |
| Kenneth F. Beegle Assignee | 100 | 500 | 50% |
| Cristina Johnson Assignee | 100 | 500 | 50% |

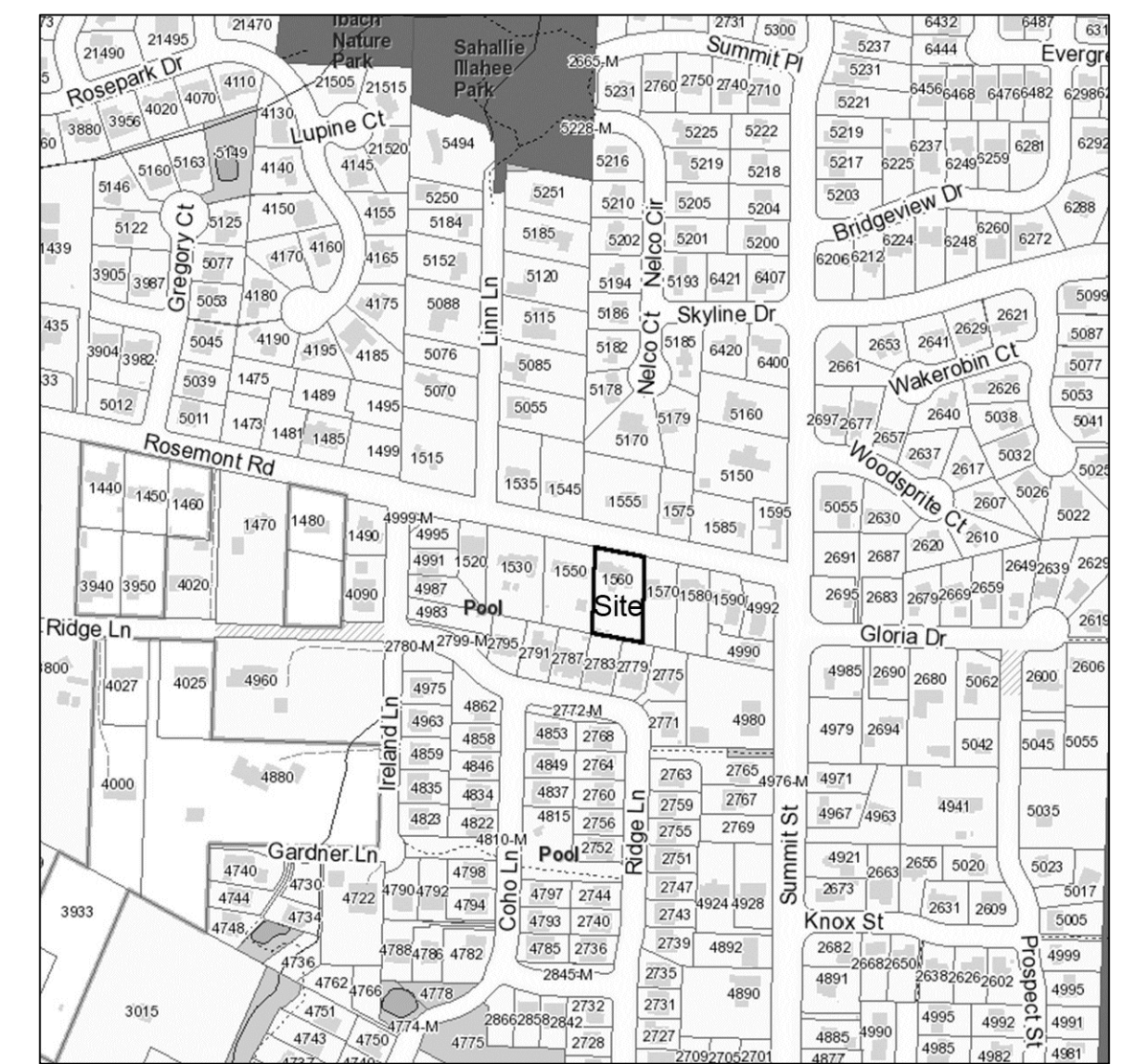
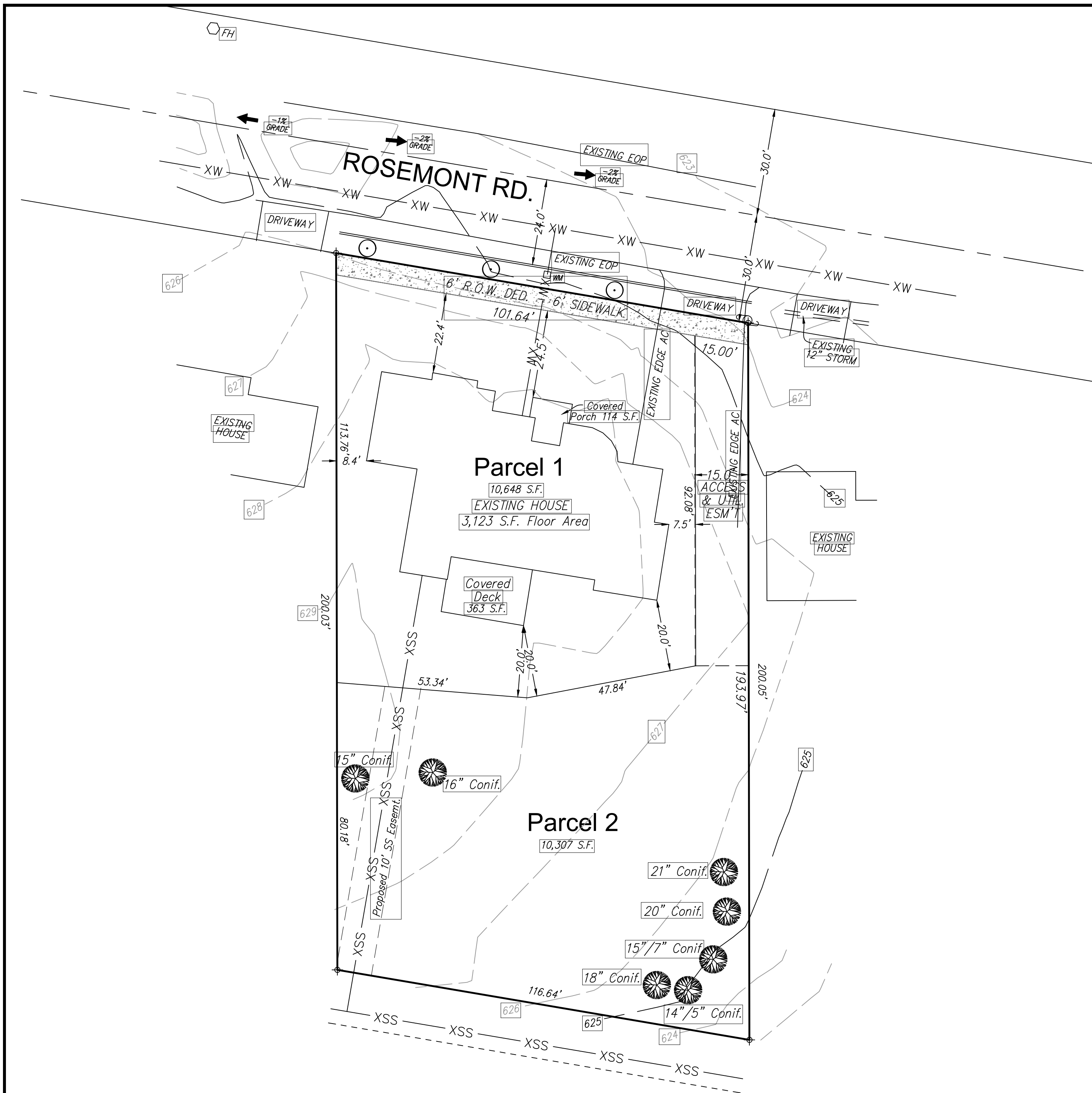
Dated: 12/20/2015



Robert L. Beegle



Lorraine Beegle



Vicinity Map

Applicant/Owner:
 Ken Beegle
 1560 Rosemont Rd.
 West Linn, OR 97068
 PH: (360) 969-1864

Engineer:
 Burton Engineering & Surveying
 8401 NE Halsey St., Suite 104
 Portland, OR 97220
 PH: (503) 206-6124

Legal: 2-1E-25DB TL 900

Zoning: R-10

Parcel 1 Lot Coverage:
 3,600 sq. ft. = 34.2%

Parcel 1 FAR:
 3,123 sq. ft. = 29.7%

Water: City of West Linn

Street Tree:
 Red Sunset Maple

Sewer: City of West Linn

Contours: Burton Engineering & Surveying

Site Area: 22,998 sq. ft.

All slopes < 15% Grade

SLOPES:

DENSITY CALCULATIONS:

Gross Site Area: 22,998 square feet.

Type I & II Lands: 0 square feet.

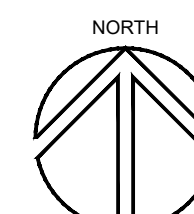
ROW Dedication & Flag Strip 2,058 sq. ft.

Net Site Area: 20,940 sq. ft.

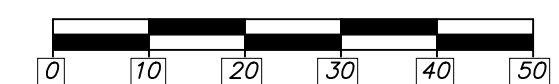
Maximum Density @ 1 Unit Per 10,000 sq. ft. = 2 lots.

Two lots proposed. Both the minimum and maximum density standards are met.

SIGNIFICANT TREES: None on site per City Arborist *TBD.



Scale: 1" = 20'



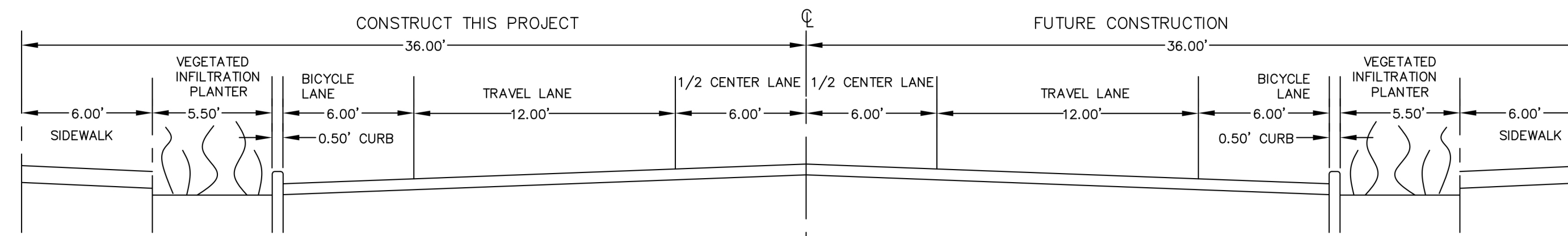
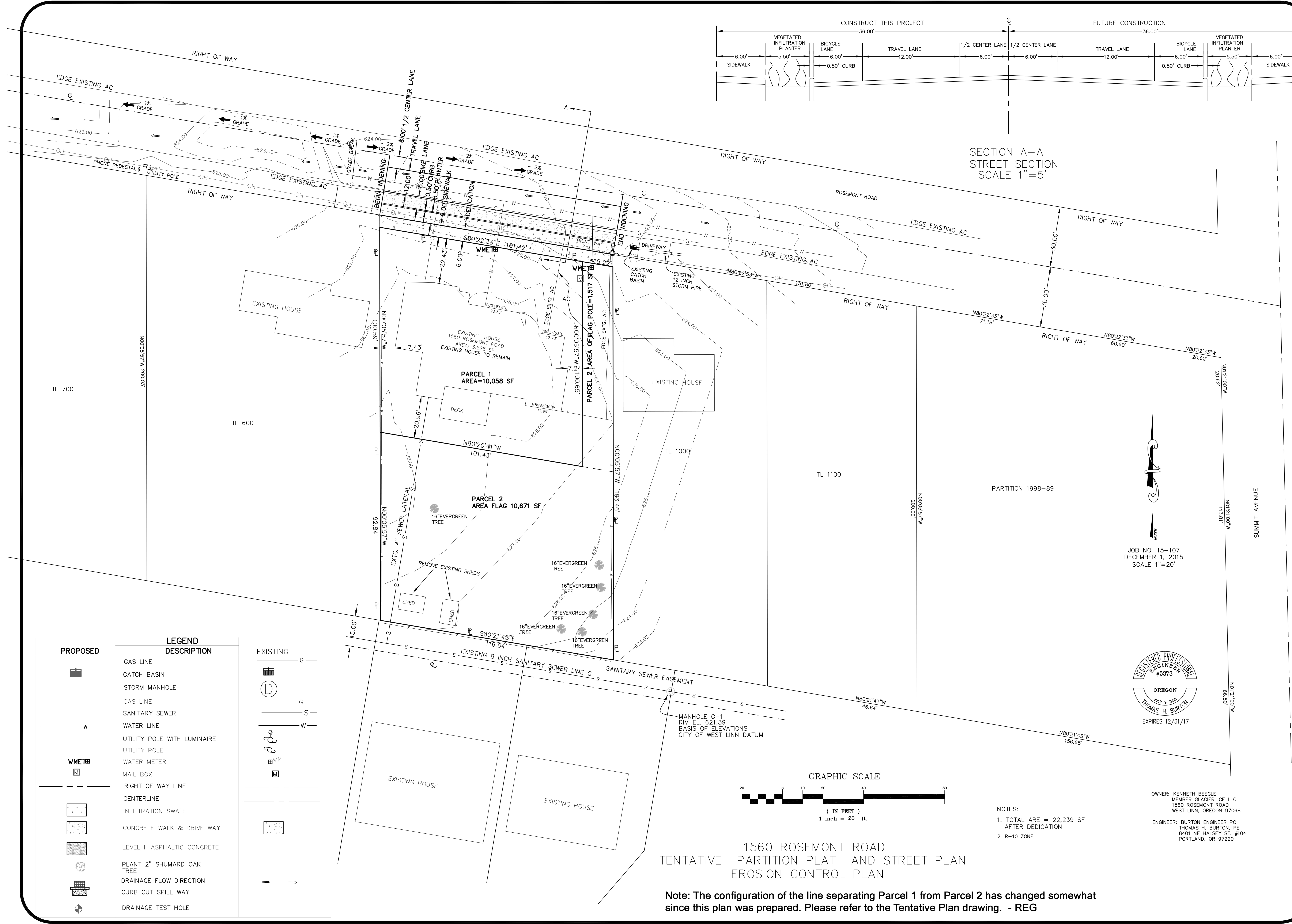
| | | | |
|------------------|------|-----|----------|
| DESIGNED: REG | | | |
| DRAWN: REG | | | |
| SCALE: 1" = 20' | | | |
| DATE: JULY 2017 | | | |
| FILE: 15-ICN-102 | DATE | NO. | REVISION |

Richard E. Givens, Planning Consultant
 18680 Sunblaze Dr.
 Oregon City, OR 97045
 PH: (503) 479-0097

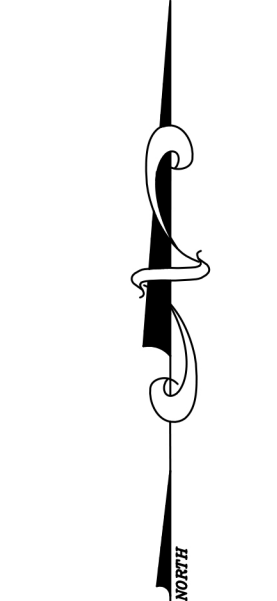
APPLICANT: Ken Beegle
 1560 Rosemont Rd.
 West Linn, OR 97068
 PH: (360) 969-1864

1560 ROSEMONT RD.
 Tentative Plan

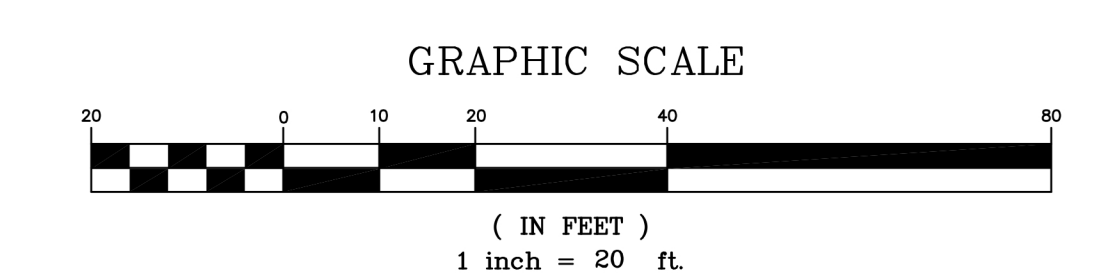
SHEET:
 1/1



SECTION A-A
STREET SECTION
SCALE 1"=5'



JOB NO. 15-107
DECEMBER 1, 2015
SCALE 1"=20'



- NOTES:
- TOTAL ARE = 22,239 SF AFTER DEDICATION
 - R-10 ZONE

1560 ROSEMONT ROAD
TENTATIVE PARTITION PLAT AND STREET PLAN
EROSION CONTROL PLAN

Note: The configuration of the line separating Parcel 1 from Parcel 2 has changed somewhat since this plan was prepared. Please refer to the Tentative Plan drawing. - REG

| PROPOSED | LEGEND DESCRIPTION | EXISTING |
|----------|-----------------------------|----------|
| | GAS LINE | G |
| | CATCH BASIN | |
| | STORM MANHOLE | G |
| | GAS LINE | G |
| | SANITARY SEWER | S |
| | WATER LINE | W |
| | UTILITY POLE WITH LUMINAIRE | |
| | UTILITY POLE | |
| | WATER METER | |
| | MAIL BOX | |
| | RIGHT OF WAY LINE | |
| | CENTERLINE | |
| | INFILTRATION SWALE | |
| | CONCRETE WALK & DRIVE WAY | |
| | LEVEL II ASPHALTIC CONCRETE | |
| | PLANT 2" SHUMARD OAK TREE | |
| | DRAINAGE FLOW DIRECTION | |
| | CURB CUT SPILL WAY | |
| | DRAINAGE TEST HOLE | |

SCALE
HOR. : 1"=20'
VERT. : 1"=10'
DATE 12/01/15

TENTATIVE PARTITION PLAT AND STREET PLAN OF TRACT OF LAND AT 1560 ROSEMONT ROAD, LYING IN THE SAMUEL W. SHANNON D.L.C. SE 1/4 SEC. 25, T2S, R1E, WM, CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON. OREGON MAP NO. 21E250B TL 900.

FOR KENNETH BEEGLE
1560 ROSEMONT ROAD
WEST LINN, OR 97068

BURTON ENGINEERING AND SURVEYING
8401 NE HALSEY ST., STE 104, PORTLAND, OREGON 97220
PHONE: CELL (503) 875-6563 (503) 206-6124

OWNER: KENNETH BEEGLE
MEMBER GLACIER ICE LLC
1560 ROSEMONT ROAD
WEST LINN, OREGON 97068

ENGINEER: BURTON ENGINEER PC
THOMAS H. BURTON, PE
8401 NE HALSEY ST. #104
PORTLAND, OR 97220